

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRACY JOHNSON,

Plaintiff,

vs.

SHREE BEARDSLEE, *et al.*,

Defendants.

Case No. 1:06-cv-374

Hon. Gordon J. Quist

ORDER

Defendants have filed a motion for summary judgment on various grounds, including qualified immunity. This matter is now before the court on defendants' motion to stay discovery until the court resolves the pending motion for summary judgment (docket no. 40). Plaintiff concurs in defendants' motion to stay discovery. *See* docket no. 52.

A stay of discovery is properly granted until the issue of immunity is resolved. *Siebert v. Gilley*, 500 U.S. 226, 231 (1991). *See Criss v. City of Kent*, 867 F.2d 259, 261 (6th Cir. 1988) ("discovery in litigation against government officials should be halted until the threshold question of immunity is resolved"); *Kennedy v. City of Cleveland*, 797 F.2d 297, 298-99 (6th Cir. 1986) ("a claim of immunity raises an interest in an early, and inexpensive, termination of the litigation"). Accordingly, defendants' motion to stay discovery is **GRANTED**. Discovery shall be stayed until the court issues its decision on defendants' motion for summary judgment.

IT IS SO ORDERED.

Dated: May 4, 2007

/s/ Hugh W. Brenneman, Jr.

Hugh W. Brenneman, Jr.

United States Magistrate Judge